

REMARKS

Claims 1-14 are pending in this application with claim 14 being added by this amendment.

Rejection of claims 1-12 under 35 U.S.C. 102

Claims 1-12 have been rejected under 35 U.S.C. §102(e) as being anticipated by Lazarus et al. (U.S. Patent No. 5,652,613).

The present claimed invention recites a television receiver and a process for managing a memory in the television receiver. Specifically, independent claim 1 of the present invention is directed to a television receiver furnished with a memory (21, 22, 23) for receiving service data. The receiver further includes a device for receiving service data and usage criteria associated with the usage of these service data. A processing module is able to correlate the usage criteria of the service data and storage criteria characterizing the memory with a view to determining the conditions of storage of the service data in the memory. By correlating the two criteria, the processing module determines the conditions of storage.

Independent claim 7 of the present invention discloses a process for memory management of a television receiver. The process includes receiving service data and usage criteria associated with the usage of these data. The receiver is searched for storage criteria characterizing the memory. The usage and storage criteria is then correlated with a view to determining the conditions of storage of the service data in the memory.

Claims 2-6 and 8-12 are dependent on claims 1 and 7, respectively.

Claims 1 and 7 include the features of 10 means for receiving the service data; 2) means for receiving usage criteria associated with the usage of the service data; and 3) a processing module able to correlate the usage criteria of the service data and storage

criteria characterizing the memory with a view to determining the conditions of storage of the service data in the memory.

Lazarus et al. disclose a television electronic program guide intelligent memory management system that automatically deletes the least valuable stored program information at that moment as free memory space is needed by the system. The Examiner contends that Lazarus et al. disclose the subject matter of the present claimed invention. Specifically, the Examiner points to Figure 1, column 3, line 7 to column 7, line 23 of Lazarus et al. as disclosing the innovations of the present invention. Applicant respectfully disagrees. Lazarus et al. teach a program is loaded into and stored in a non-volatile memory EEPROM 20 wherein schedule information in this platform is stored in a database constructed in DRAM 18 (column 3, lines 21-24). The stored information is processed according to the type of the received information. However, Lazarus et al. neither disclose nor suggest “a processing module able to correlate the usage criteria of said service data and storage criteria characterizing the memory with a view to determining the conditions of storage of the service data in said memory, the processing module being activated automatically on receipt of said service data and of the associated usage criteria” as in the present claimed invention. Unlike the present claimed invention, Lazarus et al. teach that the storage is processed according to the information that is received. The “housekeeping routine” disclosed in Lazarus et al. deletes information from the memory that has expired according to the calendar date, program start time, and duration fields (column 3, line 45 to column 4, line 9). The present claimed invention, by contrast, teaches that the storage is processed also according to the usage criteria of the stored information. Furthermore, it is respectfully submitted that Lazarus et al. neither disclose nor suggest the reception and processing of service data and correlating the usage criteria of the service data and storage criteria characterizing the memory as is claimed in the present claimed invention.

In addition, it is respectfully submitted that Lazarus et al. neither disclose nor suggest “correlation of the usage and storage criteria with a view to determining the conditions of storage of the service data in said memory” as disclosed in claim 7 of the present invention. As discussed above, Lazarus et al. teach using the calendar date,

program start time, and duration fields in determining the conditions of storage of service data in the memory. However, Lazarus et al. neither disclose nor suggest the central innovation of the present innovation: correlation of the usage and storage criteria. Furthermore, Lazarus et al. teach that the storage depends on the type of received data (program or scheduled information) because the “program is stored in a separate storage means or in a separate portion of the same storage” (column 3, lines 13 to 16). Therefore, a program and the scheduled information used by this program are stored in separate place. In the present claimed invention, whatever the information type may be, if this information is associated with the same usage criteria, they are stored in the same manner.

In light of the above remarks, it is respectfully submitted that Lazarus et al. do not anticipate independent claims 1 and 7. Since claims 2-6 and 8-12 are dependent on claims 1 and 7, respectively, it is further respectfully submitted that these claims are also patentable.

Claim 13 is rejected under 35 U.S.C. 103

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lazarus et al. (US Patent No. 5,652,613).

Claim 13 is dependent on claims 9 and 7, further limiting these claims by reciting “the reorganizing step includes a step of transferring the data to an external or remote memory of the television receiver.” The Examiner takes Official Notice of the capability of using the step of transferring the data to an external or remote memory of the television receiver. However, the Examiner fails to show specifically where “the reorganizing step includes a step of transferring the data to an external or remote memory of the television receiver” has been disclosed in the prior art. Even if the Official Notice taken by the Examiner is proper and the prior art does suggest the innovation disclosed in claim 13 of the present invention, it is respectfully submitted that Lazarus et al. fails to disclose or suggest the limitations of independent claims 1 and 7, as discussed above. In view of the

above remarks and the remarks concerning the rejection of claim 7 above, it is respectfully submitted that this rejection is satisfied and should be withdrawn.

Addition of Claim 14

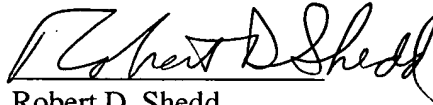
Please note that claim 14 has been added by this amendment. Specifically, claim 14 further limits independent claim 1, disclosing the television receiver in claim 1 “wherein the user fixes the storage criteria.” Support for this new claim is provided throughout the specification and specifically on page 6, lines 24 to 27 which states “The determination of the placement of a new information item depends, on the one hand on objective criteria, for example, its size and the maximum access time for the information item and, on the other hand on more subjective criteria, fixed in general, by the user, the service provider or the manufacturer and relating for example to a usage priority level.” Additionally, it is respectfully submitted that the prior art, including Lazarus et al., neither disclose nor suggest the limitation as disclosed in claim 14. Unlike the present invention as claimed in claim 14, Lazarus et al. teach that the storage depends on the type of the information, and not criteria introduced by the user (column 3, line 7 to column 7, line 23). Furthermore, in view of the above remarks and the remarks concerning the rejection of claim 1 above, it is respectfully submitted that this rejection is satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No other fee than a three-month extension to respond to the office action is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
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December 9, 2003

CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents Alexandria, VA 22313 on:

12/9/03
Date

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